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MATTERS RELATING TO COMMITMENTS

FIRST REVIEW OF INFORMATION COMMUNICATED BY EACH PARTY INCLUDED IN ANNEX I TO THE CONVENTION

The process for the first review of communications from Annex I Parties

Note by the interim secretariat

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I. INTRODUCTION

A. Committee mandate

1. At its ninth session, the Committee decided to carry out, on an interim basis and at the eleventh session, the task of reviewing the first communications from Annex I Parties (A/AC.237/55, annex I, decision 9/3). Further, the Committee requested the interim secretariat "to develop a plan and budget for the review of the first communications from Annex I Parties, for consideration and adoption at the [tenth] session, and for immediate implementation thereafter" (A/AC.237/55, annex I, decision 9/3, section B, para. 7). In preparing this plan, the interim secretariat was asked to take into account the following:

- The conclusions adopted at the eighth session (A/AC.237/41, paras. 61 and 62)

- The views expressed and any submissions made during the ninth session, and

- Any further comments that may have been transmitted to the interim secretariat before 30 April 1994

The Committee also urged countries and relevant international organizations to consider what contributions they can make to support the review of the first national communications from Annex I Parties.

2. The Committee also noted the continuation of the valuable work on national communications from Annex I Parties undertaken by the group of countries and the organization included in that Annex, supported by the secretariats of the Organisation for Economic Co-operation and Development (OECD) and the International Energy Agency (IEA), and that this work would include the review process (see A/AC.237/55, annex I, decision 9/2).

B. Scope of the note

3. The purpose of this note is to assist the Committee in deciding on the process for the first review of communications from Annex I Parties by identifying what should be done, by whom, and when. Section II of the note reviews the previous decisions of the Committee, summarizes the results of an examination of other review processes, and considers the implications of the time constraints prior to the eleventh session. Section III proposes a possible statement of purpose for the review process and introduces possible terms of reference. It goes on to outline three elements -- a compilation and synthesis of the communications, review by the Committee and an in-depth review of individual communications -- around which the Committee is invited to design an appropriate process. Section IV examines issues surrounding the aggregation of communications.

4. A number of other documents prepared for the tenth session are relevant to the consideration of the review process, in particular A/AC.237/57 (and Corr.1 in English only) on the arrangements for the eleventh session, A/AC.237/64 on the roles of the subsidiary bodies and A/AC.237/61 on the activities and funding of the interim secretariat. Document A/AC.237/Misc.36 contains the submissions from Parties or other member States on this matter.

5. This note does not address issues relating to communications from non-Annex I Parties. The process for reviewing communications from non-Annex I Parties will be determined by the Conference of the Parties (COP) in due course, taking account of the different nature of their commitments and the distinctions between the provisions of Article 12.1 and 12.2.

C. Possible action by the Committee

6. If Governments are to have sufficient time to prepare for a review of communications from Annex I Parties at the eleventh session, and if any supporting analysis is to be requested for that session, **the Committee must take decisions at the tenth session on the nature and details of the review to be undertaken at the eleventh session.** In addition, the Committee may wish to decide on recommendations to the first session of the COP (COP 1) on how the latter might review these communications and on whether certain elements of the first review might be carried out in greater depth after COP 1. The timing of the submission and review of subsequent communications from Annex I Parties could also be addressed.

7. In this context, the interim secretariat proposes that the Committee consider adopting a decision, at its tenth session, that would address the following points:

(a) The elements of the review process to be implemented in preparation for, and at, its eleventh session, in particular:

(i) The purpose and terms of reference of the process for the first review;

(ii) The nature of the compilation and synthesis to be considered at the eleventh session;

(iii) Whether the Committee should also consider and review, at its eleventh session, each individual communication, and if so, what role, if any, would be played by experts nominated by national Governments and international organizations;

(iv) What the interim secretariat should do in preparation for the eleventh session (for example, with respect to the preparation of a compilation and synthesis, the level of technical analysis to be undertaken, other documentation to be prepared, and any other tasks, including guidance on the content of documents) and what other relevant actors the interim secretariat might seek to involve in this work;

(b) A recommendation to COP 1 on:

(i) The nature of the review to be undertaken at COP 1 (for example, focusing on the compilation and synthesis of the communications);

(ii) Any elements of the review process not undertaken at or before COP 1 that could be implemented between COP 1 and COP 2, including any guidance thereon to the subsidiary bodies and the secretariat, and the role, if any, of experts nominated by Governments and international organizations, and if such participation by experts could include the use of consultation visits to Parties.

8. The Committee, at its eleventh session, may wish to revisit the above-mentioned recommendation to COP 1 and modify it, based on the experience gained, for the purpose of the review process to be conducted under the auspices of the COP. It might also consider the timing of the second communication from Annex I Parties and whether a rotational approach to the submission and review of communications should be adopted.

II. BACKGROUND

A. Convention provisions

9. The Convention does not address the details of the process for the review of communications. In Article 4.2(b), it provides that "detailed information" on policies and measures to be communicated by Annex I Parties "will be reviewed by the Conference of the Parties at its first session and periodically thereafter". Further, Article 10.2 provides that the Subsidiary Body for Implementation (SBI) shall consider the information communicated in accordance with Article 12.1 and 12.2 to assess the overall aggregated effect of the steps taken and to assist the COP in carrying out the reviews of the adequacy of commitments as required by Article 4.2(d). On a related point, Article 9.2(b) provides that the Subsidiary Body for Scientific and Technological Advice (SBSTA) shall prepare scientific assessments on the effects of measures taken in the implementation of the Convention. Finally, Article 7.2(e) may also be relevant. It requires the COP to assess, on the basis of all

information made available to it, the implementation of the Convention, the overall effects of the measures taken and the extent to which progress towards the objective of the Convention is being achieved.

B. Committee discussions

10. The Committee has not yet had a thorough discussion of the process for the review of communications from Annex I Parties. Nonetheless, it adopted some relevant conclusions and decisions at its eighth and ninth sessions.

11. At the eighth session, the Committee adopted conclusions on the review of communications by the COP (A/AC.237/41, paras. 61 and 62). It was agreed that the review process should be "facilitative, non-confrontational, open and transparent" and "should facilitate the exchange of information and experience on implementation of the Convention". The Committee further agreed that the subsidiary bodies should carry out two principal tasks:

(a) A thorough analysis of national communications, 1/ including:

- Verifying methodologies used
- Comparing national data with authoritative international sources
- Noting inclusion or absence of information and data and their quality
- Reviewing projections and their assumptions
- Assessing comprehensiveness and effectiveness of mitigation and adaptation measures
- Evaluating impacts of climate change

(b) A compilation and synthesis of information provided, including the overall effects of policies and measures.

The Committee acknowledged that additional information or visits to clarify country reports, with the prior approval of the country concerned, might be useful. It also noted the possible usefulness of designating national focal points with which the bodies of the Convention could interact.

12. At the ninth session, a range of views were expressed on matters such as the roles and responsibilities of the subsidiary bodies in the review process, the role of country visits or country reviews modelled on the OECD and IEA processes, and the role of the interim secretariat in analysing and synthesizing the first communications from Annex I Parties. A number of relevant decisions were adopted, including the following:

(a) The interim secretariat was requested, in Committee decision 9/1 (see A/AC.237/55, annex I), to prepare documentation on the work currently under way in relevant bodies relating to methodologies for aggregating national communications (see section IV, below);

(b) The Committee agreed provisionally, in Committee decision 9/3, on a list of functions of the subsidiary bodies that would see the SBI review national communications on the basis of scientific and technical analysis of the communications provided, upon request, by the SBSTA;

(c) The Committee decided that it would carry out, on an interim basis, the most pressing tasks of the subsidiary bodies in order to contribute to the success of COP 1 and, in that context, to allocate the tasks listed in Article 4.2(b), (c) and (d) to its existing working groups. (These tasks include the review of information submitted by Annex I Parties); and

(d) The interim secretariat was requested to develop a plan and a budget for the review of the first communications from Annex I Parties.

13. Further to the Committee's invitation in decision 9/3 and a subsequent communication by the interim secretariat, submissions have been received, to date, from three Parties and other member States (see A/AC.237/Misc.36).

C. Other review processes

14. In developing this document, the interim secretariat has examined a number of other review processes, both within and outside the United Nations and its specialized agencies. The key features of the processes examined are summarized in annex I. Each of these processes has its own mandate, characteristics and "culture" developed over many years of experience. None can simply be copied for the review process under the Convention. They can, however, inform the Committee's deliberations and may reveal relevant experience or considerations that will be useful in the elaboration of a process under the Convention that meets the needs of the Parties.

15. In most of the other processes examined, the "peer" review is undertaken by an intergovernmental body at a session of that body. This review is assisted and informed by analytical work done in advance by either a secretariat or an expert group of some sort (supported by a secretariat). In most cases this analytical work is based on, or relies heavily

on, information supplied by the reviewed country. It can involve a visit to the reviewed country for meetings with Government officials and others. The processes normally result in a written product (for example, a "report", "conclusions" or "observations") that is revised and published pursuant to consideration by the intergovernmental body. In some processes, there is provision for the designation of "examining countries" or "discussants" who have a more active role than other participants in the process.

D. Time constraints

16. In identifying possible elements of the review process under the Convention, the interim secretariat has been particularly conscious of the importance of time. This takes three forms:

(a) First, the interim secretariat has assumed that the review process will be elaborated in stages. It has taken as an appropriate planning horizon for the first review process a period that extends to COP 2;

(b) Second, the limited time available between 21 September 1994 (the legal deadline for the submission of the communications by the initial group of Annex I Parties) and the time by which secretariat documents must be finalized so that they can be made available to Governments for consideration prior to the eleventh session is an important determinant of what will be possible. The time-frame will be a maximum of 10 weeks for the communications available on 21 September and less for those that may be submitted later. This schedule may preclude a thorough or in-depth analysis of individual communications in this period;

(c) Third, the short time (five weeks) between the close of the eleventh session and the opening of COP 1 precludes the preparation and translation of any new substantive documents on the review process and will permit only minor revisions to then existing texts.

It bears recalling that first communications from Annex I Parties will continue to be submitted pursuant to the ongoing process of ratification and accession. Any review process will have to take this into account.

17. The interim secretariat has assumed that there would be insufficient time, and too many other priorities, to permit any substantive review of individual communications at COP 1. However, a compilation and synthesis of the information in the communications, including the overall effects of policies and measures, would appear to be an important input to the decisions that COP 1 must take. If the Committee agrees, it may wish to recommend that any review of communications at COP 1 should focus on a compilation and synthesis. (This would not preclude beginning work on the in-depth review of individual communications before COP 1, if the Committee so decides.)

III. THE PROCESS FOR THE FIRST REVIEW

A. Introduction

18. In view of the complexity of the issue and in the absence to date of a thorough Committee discussion of the process for reviewing national communications, the interim secretariat has opted not to present a single plan for the first review. Rather, this note presents possible elements, or building blocks, of a plan, for the first review. These are preceded by proposals on a possible purpose and terms of reference for the review process. The components address the following three main elements of the review process:

- compilation and synthesis of the communications
- review by the Committee
- in-depth review of individual communications

These elements, discussed in more detail below, have been selected because they touch on the main issues that need to be considered by the Committee in reaching consensus on the process for the first review. Budgetary information is also presented in annex IV.

B. The purpose of the process for the first review

19. As noted in paragraph 11, above, the Committee has already agreed that the review process should be facilitative, non-confrontational, open and transparent and should facilitate the exchange of information and experience on implementation of the Convention. In addition to this guidance it may be useful if the Committee were to agree on a definition of the purpose of the first review process to assist it in its deliberations at the eleventh session.

20. Before considering the purpose of the review, however, it may be useful to define what the process does not entail. It would not provide a legal assessment of the extent to which specific obligations are being followed by individual Parties. Thus, it would not be a mechanism for formally assessing compliance by individual Parties with the terms of the Convention nor a basis for dispute settlement. Moreover, it is not meant to be a confrontational or judgmental exercise nor a judicial or quasi-judicial process. Finally, it should not result in Parties being told that they must undertake certain actions.

21. The Committee may wish to consider the following proposed statement of purpose for the first review process:

To review, in a facilitative, non-confrontational, open and transparent manner, the information contained in the communications from Annex I Parties to ensure that the Conference of the Parties has accurate, consistent and relevant information at its disposal to assist it in carrying out its responsibilities, inter alia,:

(a) To assess the implementation of the Convention by the Parties, the overall effects and cumulative impacts of the measures taken and the extent to which progress towards the objective of the Convention is being achieved (Articles 7.2(e) and 4.2(b));

(b) To contribute to its reviews of the adequacy of commitments and to its decisions on follow-up action (Articles 10.2(b) and 4.2(d));

(c) To periodically examine the obligations of the Parties and the institutional arrangements under the Convention (Article 7.2(a));

(d) To promote and guide the development and refinement of methodologies (Article 7.2(d)); and

(e) To promote and facilitate the exchange of information on measures adopted by the Parties (Article 7.2(b)).

22. In this context, an important function of the process of reviewing communications would be to provide Parties with an opportunity to benefit from the advice and experience of other Parties. As such, a two-way learning process could emerge. The review process could also lead to the identification of needs for future assistance or advice (for example, regarding methodologies, inventories, projections or the implementation of policies and measures). This could take the form, for example, of information exchange, bilateral cooperation or technical assistance.

23. For the review process to proceed effectively, it will be important for the Committee to provide guidance on what tasks should be undertaken. This could take the form of terms of reference for the review. The interim secretariat, building largely on the Committee's conclusions at the eighth session (see paragraph 11, above), has developed possible elements for such terms of reference for consideration by the Committee. They are found as annex II to this document.

C. Possible elements of the process for the first review

24. As noted in paragraph 18, above, the possible elements of the review process presented below constitute a series of building blocks based on which the Committee is invited to design the process for the first review. Three possible elements are identified around which the discussion may be structured:

Prior to COP 1

- Consideration of a compilation and synthesis of communications by the Committee at its eleventh session (and by COP 1)

- Consideration of individual communications by the Committee at its eleventh session

After COP 1

- In-depth review of individual communications by teams of experts reporting to the Subsidiary Body for Implementation (SBI) after COP 1

Each of these possible components is discussed below.

1. Consideration of a compilation and synthesis of communications by the Committee at its eleventh session (and by COP 1)

Description

25. The Committee would consider a compilation and synthesis of the key information contained in the communications from Annex I Parties. Such an approach could have the following characteristics:

(a) A draft compilation and synthesis would be prepared under the responsibility of the interim secretariat and submitted to the Committee at its eleventh session;

(b) The draft compilation and synthesis would be prepared in accordance with agreed terms of reference, perhaps along the lines of those proposed in Task B of annex II. (A possible outline for the compilation and synthesis is attached as annex III;)

(c) The information contained in each communication would be subject to a basic technical analysis for the purpose of facilitating and improving the draft compilation and synthesis. This would be done in accordance with agreed terms of reference, perhaps along the lines of those proposed in Task A of annex II, although the level of analysis would be limited;

(d) The draft compilation and synthesis document would not include a detailed analysis of each individual communication;

(e) The draft compilation and synthesis document would be prepared by the interim secretariat. As in the normal course of events, the interim secretariat would hire consultants as needed. In addition, it would be assisted by experts selected by it from individuals suggested by Governments and international organizations taking due account of the principle of geographic balance and of the need to have a balance of skills and expertise;

(f) Pursuant to its consideration by the Committee, the draft compilation and synthesis document would be revised and transmitted to COP 1. Transmission could be as a document under the responsibility of the interim secretariat, of which the Committee will have taken note and to which it may have recommended some revisions, or as a Committee document.

Comments by the interim secretariat

26. A compilation and synthesis would appear to be an important input to the final recommendations of the Committee and to the decisions of COP 1 on the implementation of the Convention, the review of information and associated methodological issues, matters relating to the implementation of the financial and technological commitments, including the financial mechanism, as well as the review of the adequacy of commitments and any follow-up thereto. In the absence of such a synthesis, the Committee would have to consider the individual communications on the basis of which it would be difficult to draw overall conclusions.

27. As additional Annex I countries become Parties to the Convention, and submit their first communications, the new information will have to be compiled and synthesized for future sessions of the COP. This could take the form of an addendum or addenda to the first compilation and synthesis document.

2. Consideration of individual communications by the Committee at its eleventh session

Description

28. The Committee would have an item on its agenda at the eleventh session relating to the consideration of individual communications. Such an approach could have the following characteristics:

(a) The Committee would discuss:

- each individual communication in turn, or
- only those communications for which a discussion is requested by any Party

(b) The Committee would have before it the individual communications but no documents reviewing these communications;

(c) The Co-Chairs of the working group dealing with this matter would prepare a summary of the working group's discussion of the communications for use by the Committee, focusing on matters relevant to the other agenda items of the Committee at the eleventh session and to the decisions to be taken at COP 1.

Comments by the interim secretariat

29. Peer review in an intergovernmental body is central to most of the review processes examined by the interim secretariat. In these processes, however, the circumstances surrounding such a peer review are quite different from those that will prevail at the eleventh session, especially in terms of the number of communications being addressed and the time available.

30. Consideration of individual communications at the eleventh session, in the absence of detailed preparatory analysis, would raise questions about the effectiveness of the exercise and about the extent to which this would contribute to achieving the purpose of the review process as proposed in paragraph 21, above. Moreover, the consideration of each communication in turn, assuming some form of discussion of each one, would require, at a minimum, several days of Committee time.

31. The nature of the treatment of individual communications by the Committee at the eleventh session would need to be defined (see para. 28 (a), above). One model would be the procedure used in the trade policy review process of the General Agreement on Tariffs and Trade/World Trade Organization (GATT/WTO), adjusted to take account of the time available (see annex I).

32. Implementation of this element, on its own, would not meet the requirement for a compilation and synthesis.

33. A similar review of Annex I Party communications could be undertaken by one or both subsidiary bodies after COP 1. Such a review could be additional to, or in lieu of, a review of individual communications by the Committee at its eleventh session.

3. In-depth review of individual communications by teams of experts reporting to the SBI after COP 1

Description

34. The third component of the review process is a thorough, or in-depth, analysis of individual communications. Because of the time constraints noted above, the interim secretariat has concluded that such a review, in its entirety, could not be implemented effectively prior to the eleventh session. The scenario presented below for consideration by the Committee discusses the undertaking of an in-depth review of individual communications in the period between COP 1 and COP 2. COP 1 could so decide on the basis of a recommendation from the Committee.

35. For the purposes of this discussion, the interim secretariat has assumed that such an in-depth review would be coordinated and supported by the secretariat and undertaken largely by experts. It has also assumed that the review would be carried out under the authority of the SBI (see A/AC.237/64). The COP or the SBI would determine the mandate for this review and its results would be reported to the SBI. It is conceivable that such a review could be carried out solely by the secretariat. However, this option would have substantial additional cost implications, notably for secretariat staffing. For this reason, this option is not pursued further.

36. Such an in-depth review of individual communications could have the following characteristics:

(a) The starting point for the review would be the individual communications and any analysis done prior to COP 1, including the compilation and synthesis;

(b) The interim secretariat would manage and coordinate the process and provide logistical and analytical support. Under the guidance of the Chairman of the SBI, it would organize teams of experts drawn from lists of names provided by Parties and from international organizations, possibly supplemented by consultants, paying due account to the principle of geographic balance;

(c) Each communication would be reviewed by a team of experts in accordance with agreed terms of reference. The terms of reference proposed in Task A of annex II could serve as a basis but might require further elaboration in view of the in-depth nature of the review. Each team could be composed of a small number of experts (perhaps five). This would include, at a minimum, one individual from an Annex II Party, one from a Party "in transition", and one from a developing country Party plus a member of the secretariat. Additional team members might be necessary for reviewing the more complex communications. The size and number of teams would vary depending on the number of communications to be reviewed by each team and on the time and money available;

(d) The core of the review could be a "paper exercise" involving analysis and preparation of written reports by team members and provision for meetings of the team members. Some dialogue with the Party concerned would be necessary and could be undertaken by correspondence;

(e) The review could also involve a visit to the reviewed country for consultations with Government officials and other relevant actors. Such visits would be arranged by the secretariat with the approval and collaboration of the Party concerned. A visit would allow more fruitful interaction between the Government and the review team;

(f) A review report on each communication would be prepared by the review team, discussed with the Party concerned, finalized and made available by the secretariat to the SBI prior to its proposed meeting in early 1996 (see A/AC.237/64);

(g) The SBI would have the option of considering each individual review report or only those review reports whose consideration have been requested by a Party. For example, a reviewed country may have some comments on the conclusions of the review report and
wish to register these in a formal discussion. Alternatively, another Party may have questions or comments about a communication or a review report that it would like to raise;

(h) The results of the in-depth review of communications would be used as the basis for an addendum to the first compilation and synthesis.

Comments by the interim secretariat

37. The in-depth review of individual communications by experts would more than meet the requirement to do a technical analysis of the communications in an open and transparent manner. It would ideally lead to better quality communications and data. It would also contribute to a two-way learning process based on exchanging information and experiences. The Committee will have to decide whether it wishes to recommend this type of approach to COP 1 and whether the investment of time and resources would be commensurate with the results.

38. There would be sufficient time to undertake such an in-depth review between COP 1 and COP 2. However, the challenges associated with an effort of this magnitude should not be minimized. In the other review processes examined, the average number of reviews conducted per year is about 10, and these are based on long-established processes and mechanisms. It should also be borne in mind that by the time the subsidiary bodies meet to review the communications some of the documents will be over a year old. (However, the review process could ensure that updated information was reflected in the review reports.)

39. If the Committee wished to initiate an in-depth review process on a pilot basis prior to the eleventh session, it could so decide at its tenth session. For example, a limited number of reviews could be organized for Parties that volunteered to participate, assuming sufficient resources were available. In such a case, the Committee would have to decide how it wished to treat the results of such pilot reviews.

D. Periodicity of reviews and subsequent communications

40. The COP will, in due course, have to take decisions on the nature of the ongoing review process and on the periodicity of subsequent communications. As these decisions are not required for COP 1, they have not been addressed in this note. If, however, the Committee wished to make a recommendation on these issues to COP 1, the interim secretariat could be requested to prepare documentation for consideration at the eleventh session. Such documentation could consider whether all communications should be due at the same time or whether the submission of the communications, and their subsequent review, should be staggered over a fixed number of years.

41. It will also be important to consider the periodicity of future compilation and synthesis documents, taking account of the decisions of the Committee and the COP on in-depth review and of the fact that first communications will continue to be submitted by Annex I Parties as they become due.

IV. AGGREGATION OF COMMUNICATIONS

42. The Committee requested the interim secretariat to prepare documentation for its consideration at the tenth session on the work currently under way in relevant bodies, including the Intergovernmental Panel on Climate Change (IPCC), relating to methodologies for aggregating national communications (A/AC.237/55, annex I, decision 9/1). Limited responses have been received and are reflected in the following paragraphs.

43. The Convention addresses only tangentially the concept of aggregation. Article 10.2(a) requires the SBI to assess the overall aggregated effect of the steps taken by the Parties. The provisions of Article 7.2(d) may also be relevant in that they require the COP to promote and guide the development and refinement of methodologies.

44. It will be important for the Committee to base its conclusions on a common understanding of what is meant by "aggregation". For the purposes of the following discussion, the interim secretariat has assumed that aggregation refers to the aggregation of information contained in the communications. (It is distinct from aggregating the overall effect of the steps taken by Parties.) In this context, it will be useful to aggregate the following key quantitative information:

- inventories of emissions and removals
- projections of emissions and removals
- estimates of the effects of measures
- financial assistance

The interim secretariat has interpreted this to mean that the aggregation is to provide a picture of:

(a) The total emissions and removals, by gas, by Annex I Parties in 1990 ;

(b) The projected total emissions and removals, by gas, by Annex I Parties in 2000;

(c) An estimate of the aggregate effects of measures undertaken by Annex I Parties, classified by gas; and

(d) The total resources provided by Annex II Parties to developing country Parties for the implementation of the Convention, by channel of resource transfer.

45. The relevant information could be aggregated in tabular listings of national data from the various communications. These data would not be added up but would form the basis of qualitative conclusions.

46. Alternatively, the relevant data could be aggregated by adding up the respective national totals provided in the various communications for inventories, projections, estimates of effects of measures and financial transfers. Such information, accompanied by the necessary methodological caveats, would be useful in explaining to a broader public the projected effects of actions by Annex I Parties under the Convention. There would, however, be a number of problems associated with such an approach. The principal one would be that data would be available only for those Annex I Parties that had provided it. Moreover, in some cases, Parties may not be able to generate all the data. There would thus be gaps, especially in the earlier phases of implementation before all Annex I countries become Parties. A second problem would be that some of the data will have been developed using different methodologies and will not necessarily be consistent or comparable, especially for projections and estimates of the effects of measures. These are discussed in more detail below.

47. Aggregation could also involve efforts to harmonize national methodologies and models or assumptions used. However, such initiatives, if agreed upon, could not come to fruition for some years.

48. With regard to inventory data, the IPCC Draft Guidelines for National Greenhouse Gas Inventories, if used as required by Committee decision 9/1, should result in inventory data that is reasonably comparable. Some addition of the national totals should be possible. There would, nonetheless, be some differences that would have to be borne in mind in any aggregation exercise, some of which could be addressed through consultations with the Party concerned. Any data gaps (for those countries listed in Annex I which were not yet Parties or had not yet submitted their communications) would also be important. The resulting aggregate information could be compared with that available from various authoritative international sources to determine whether it is generally consistent with current understanding.

49. With regard to data gaps, it would be possible to use data from other sources to attempt to develop a comprehensive picture of emissions and removals in Annex I countries as a whole. This could not, however, be undertaken without guidance from the Committee and eventually from the COP.

50. The projections of emissions and removals in 2000 contained in the communications will have been developed using independent national methodologies. Some will involve complex models, others will be derived from less complicated approaches. To add up the national totals will not provide a scientifically rigorous aggregate number. It would, however, provide one estimate that could be compared with those available from authoritative international sources. Data gaps would continue to be a problem.

51. The same issues must be faced with regard to estimates of the effects of measures. There will be methodological differences and data gaps. In this case, other sources are unlikely to be able to provide meaningful alternative estimates.

52. The information included in the communications from Annex II Parties on the level of resources provided to developing country Parties for the implementation of the Convention is likely to vary in terms of its uncertainty. Some figures, such as contributions to the financial mechanism or other relevant identifiable entities, will be quite definitive although the determination of allocations to climate change projects may be problematic. Others, for example, for aspects of ongoing bilateral or multilateral assistance programmes that are relevant to climate change, are likely to be more in the order of estimates. To the extent possible, it may be useful to aggregate the data in accordance with the categories specified in the "Guidelines for the preparation of first communications by Annex I Parties" (for example, financial mechanism (pilot phase and replenished), multilateral channels, bilateral channels, and whether it is directed at mitigation or adaptation). Any aggregation of the category totals would provide a reference point, although its level of certainty would depend on the degree of estimation of the input data.

53. The Committee may also wish to provide some guidance to the interim secretariat on whether it should seek to develop aggregate information on inventories using global warming potentials (GWPs), based on the conclusions regarding GWPs contained in the forthcoming IPCC Special Report and taking into account the relevant provisions of the "Guidelines for the preparation of first communications by Annex I Parties".

54. The most significant work relating to methodologies for aggregation under way in relevant bodies is being undertaken under the rubric of the project by Annex I countries on national communications. It is anticipated that the results of the project relating to aggregation will be made available to the Committee as a contribution to consideration of this item.

Note

1/ The interim secretariat has concluded, based on the list of activities in paragraph 11 (a), above and taking into account earlier documents it had prepared, that the Committee intended the review process to include the review of individual communications.

Annex I

KEY FEATURES OF OTHER REVIEW PROCESSES

Characteristics of selected processes	UN Human Rights[a]	ILO[b]	GATT / WTO[c]	OECD[d] Environment
Basis of review (e.g. country submission)	country report (secretariat analysis and NGO documents*)	country reports	country report and secretariat support	secretariat analysis
Country visits (duration)	no (very rare)	not for review purpose	yes (1-1.5 weeks)	yes (10 days)
Expert review team (size)	no (but Expert Committee)	no (but Expert Committee)	no	yes (8-10 persons)
Principal author of report on review	N/A**	secretariat	country/ secretariat	secretariat
Principal author of review conclusions	Committee members	secretariat	secretariat	review team
Report reviewed with country in advance	no	no	for facts	no
(Peer) review by .... (time per country)	Human Rights Committee (experts) (1.5 - 2 days)	Committee of Experts on Application of Conventions and Recommendations; ILO Conf. Committee (up to half day)	GATT Council/ WTO Trade Policy Review Body (2 half days)	Group on Environmental Performance (1 day)
Use "examining countries" in peer review	no	no (N.B. workers and employers)	yes (2, on personal basis)	yes (3)
Published product(s)	Committee conclusions; country reports	Expert Committee observations and Conference committee transcript	country and secretariat reports, summary observations, (oral press statement)	review report (150-200 pages)
Number of reviews per year	15	2000 (171 conventions)	12	5-6

a United Nations Human Rights Committee (description based on procedures of International Covenant on Civil and Political Rights but similar procedures apply for other human rights committees)
b International Labour Organization information and reports on the application of conventions and recommendations
c General Agreement on Tariffs and Trade/World Trade Organization Trade Policy Review mechanism
d Organisation for Economic Co-operation and Development Environmental Performance Reviews

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* Informal documents

** Not applicable

IEA[e] Energy	OECD[f] Economics	OECD[g] AID	OECD[h] Agriculture	CSD[i]
country questionnaire	secretariat analysis	country memorandum, secretariat analysis	secretariat analysis	country reports
yes (5-10 days)	yes (3-6 days)	yes (2-3 days)	yes (1.5-5 days)	no
yes (5-6 persons)	no	2 examining countries	no	no
secretariat	secretariat	secretariat	secretariat	N/A (compilation by secretariat)
review team	secretariat	secretariat	secretariat	CSD (potential)
yes	no	no	yes	N/A
Standing Group on Long-term Cooperation Governing Board	Economic and Development Review Committee (1 day)	Development Assistance Committee	Joint Working Party of Trade and Agriculture Committees	CSD
no	yes (2)	yes (2)	yes (2)	N/A
review report (20-30 pages)	Economic Surveys (150 pages); under responsibility of Economic and Development Review Committee	press release, summary and conclusions and review report (50 pages)	review report	Report (by Governments) Compilation proposed for CSD 1997
6 (in-depth) 17 (standard)	approx. 20	7	ad hoc	voluntary

e International Energy Agency Energy Policy Reviews
f OECD Economic and Development Reviews
g OECD Reviews of Development Co-operation Policies and Programmes
h OECD Agricultural Policy Reviews
i Commission on Sustainable Development (This is not a review process per se Information provided for reference)

Annex II

ELEMENTS OF POSSIBLE TERMS OF REFERENCE FOR THE FIRST REVIEW OF COMMUNICATIONS FROM ANNEX I PARTIES

The process for the review of first national communications from Annex I Parties can be divided into two component tasks -- the review of individual national communications and the compilation and synthesis of the information contained in the individual communications.

Task A: A thorough analysis of individual communications

The analysis of individual communications, with provision for seeking clarification or additional information from a Party as required, should include the following elements:

(a) Verifying the methodologies used in each communication (especially those for inventories, projections, assessment of effects of measures) with particular reference to the "Guidelines for the preparation of first communications by Annex I Parties" and the IPCC Draft Guidelines for National Greenhouse Gas Inventories, paying particular note to transparency and comparability as well as to the ability to reconstruct the inventory from data and assumptions provided;

(b) Comparing the information and data in each communication with authoritative international sources (for example, with regard to inventories, projections, financial assistance and technology transfer), such sources being primarily published information from intergovernmental organizations;

(c) Based on commitments in the Convention, the "Guidelines for the preparation of first communications by Annex I Parties", and the IPCC Draft Guidelines for National Greenhouse Gas Inventories, noting the inclusion or absence of information and data in each national communication and noting the quality of information and data with particular attention to clarity of presentation, accuracy, internal consistency, transparency and completeness;

(d) Reviewing the projections included in each communication, especially noting transparency and level of uncertainty, and reviewing the assumptions used, noting their reasonableness and comparability vis-à-vis the assumptions of other countries;

(e) Assessing the comprehensiveness and effectiveness of the mitigation and adaptation measures described in each communication, noting the projections of emissions and removals for 2000 and how these relate to 1990 levels as well as the estimated effects of measures, and whether the results appear reasonable based on the information provided in the communication, and further noting how the results relate to any national or other targets, if the necessary information is available in the communication;

(f) Evaluating the national impacts (for example, environmental and socio-economic impacts) of climate change to the extent they are described in each communication, paying particular note to the methodologies used.

Task B: A compilation and synthesis of the information provided in the communications

The compilation and synthesis of the communications should include the following elements:

(a) Synthesis of information and data presented in the communications (at least qualitatively) across all areas of commitment (such as inventory of emissions/removals of inventory, finance and technology, education, adaptation, research) to provide an overview of the implementation of the Convention by Annex I Parties;

(b) Presentation of an overview of the actions, policies and measures described in the communications (across all areas of commitment but highlighting actions to limit emissions and enhance sinks) and noting of trends or patterns, areas of convergence or divergence and other appropriate qualitative conclusions, **for example**, by identifying:

- the sectors, policies and gases that have been the focus of action and, conversely, those where action has been limited, including any barriers specified;

- strategies and instruments that appear to the Parties applying them to be particularly successful or promising and potentially replicable, including new technologies, and which may be relevant to decisions on the follow-up to the review of the adequacy of commitments;

- the use of education and training as a tool to implement the Convention;

- the use of successful partnership arrangements between Governments and other sectors of society (for example, industry, cities, non-governmental organizations);

- the extent to which climate change considerations are taken into account in other policy areas;

- approaches to adaptation;

- the resources provided for developing countries through the financial mechanism and other channels and the principal types of activities for which they were, or are expected to be, used;

- actions to promote, facilitate and finance the transfer of, or access to, technology and know-how and to support the development and enhancement of endogenous capacities and technologies in developing countries;

(c) Presentation of projections of emissions and removals by Annex I Parties so as to assess (at least qualitatively) the overall aggregated effect of the policies and measures described in the national communications. At a minimum, providing an overall sense of the aggregate efforts of Annex I Parties to meet their commitments and of trends in emissions and removals for Annex I Parties. Indication of the number of Parties that expect to attain the aim specified in Article 4.2(b);

(d) Assessment of the overall results of the process of preparing and reviewing the communications from the perspective of:

- the transparency, consistency and comparability of communications

- the extent to which the "Guidelines for the preparation of first communications by Annex I Parties" were useful, and

- the experience with the methodologies used

and identification of any generic problems or gaps and how these could be addressed.

In the compilation and synthesis, any comparative presentation of information and data should be limited to tables and charts and should not enter into narrative discussion of the comparative performance of individual Parties.

Annex III

POSSIBLE OUTLINE OF THE FIRST COMPILATION AND SYNTHESIS OF NATIONAL COMMUNICATIONS

I. Overall achievements and highlights

II. Introduction

- A. Purpose of the report
- B. General considerations

III. Synthesis of the information provided in the national communications

- A. Context for compilation and synthesis
- B. Inventories of emissions and removals in 1990
  - (a) CO_2 emissions and removals
  - (b) CH_4 emissions
  - (c) N_2O emissions
  - (d) emissions of other greenhouse gases
  - (e) emissions by bunkers and civil aviation
  - (f) methodological issues and approaches (such as key assumptions, use of GWPs, models used)
  - (g) summary conclusions
- C. Policies and measures being implemented by Parties to reduce emissions and enhance sinks
  - (a) by sector and by gas
  - (b) by instrument and by gas
- D. Projections and effects of policies and measures adopted by Annex I Parties
  - (a) projected emissions in 2000 of CO_2, CH_4, N_2O and other GHG
  - (b) estimate of total effects of policies and measures on GHG emissions and removals
  - (c) methodological issues and approaches used (such as key assumptions, models used)
  - (d) summary conclusions including on the overall effects of policies and measures
- E. Finance, technology and capacity building

(a) contributions by Annex II Parties to:
- financial mechanism in its two phases
- other multilateral programmes
- regional and bilateral programmes

(b) technology transfer and cooperation

(c) capacity building

F. Implementation of other commitments of the Convention

(a) adaptation measures (and expected impacts of climate change)

(b) research and systematic observation

(c) education and public participation

(d) integration of climate change concerns in national policies

(e) coordination efforts and review of policies toward reduction of greenhouse gases emissions

(f) identification of successful partnerships

G. Special considerations

- General discussion of cases in which provisions in Articles 4.6 and 4.10 were applied

IV. General assessment of the process for the first review of national communications to date

A. Identification of information gaps and problem areas

B. Usefulness of Guidelines, as reflected in communications

C. The experience of preparing the first compilation and synthesis of Annex I communications

D. Recommendations for improvement in the process

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I. List of international authoritative sources of information used

II. List of Annex I Parties which have ratified the Convention and have submitted communications

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1. Policies and measures reported, by sector, for each Party
2. Relevant information from international authoritative sources for reference
3. Table with key assumptions used by Parties
4. Other background tables

Annex IV

BUDGETARY CONSIDERATIONS*

Interim secretariat: the current situation

1. The interim secretariat anticipates that, as of 15 September 1994, it will have 5 professional staff and 2 general service staff assigned to support the activities of Working Group I, including matters associated with the communication and review of information. Of these:

- 2 professionals are funded by their Governments for the entirety of the period in question; and
- 3 professionals and 2 general service are funded from the trust fund.

A budget will be presented to the tenth session in document A/AC.237/61, including the status of contributions to the trust fund required to maintain this staff until the end of the life-span of the interim secretariat (that is, 31 December 1995). To date contributions totalling $750,000 have been pledged to the trust fund for the communication and review of information.

2. In the period leading up to COP 1, these 7 staff will support Working Group I and the Committee in areas relating to:

- the communication and review of information (Committee documentation, preparation of compilation and synthesis, coordination of process)
- the review of the adequacy of commitments (Committee documentation, report to COP 1)
- joint implementation (Committee documentation)
- subsidiary bodies (Committee documentation)
- the report on implementation
- methodologies (Committee documentation).

Thereafter, the structure of the interim secretariat will be reviewed in the light of the outcome of COP 1.

Preparation of a compilation and synthesis document for consideration by the Committee at its eleventh session

3. The interim secretariat expects to be in a position to dedicate three professional staff (one of whom is funded by his Government) and one general service staff on a full-time

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* Reference to "dollars" ($) indicates United States dollars.

basis to the preparation of the compilation and synthesis of the information provided in the communications. (They would be assisted by experts loaned by Governments and international organizations and, as needed, by consultants.) In addition, the interim secretariat is able to provide, within existing resource levels, management and administrative support, office accommodation and furnishings, telephone and facsimile services and document editing, and to meet certain other ad hoc requirements. The United Nations Office at Geneva will not charge the interim secretariat for the translation and printing of the compilation and synthesis. Additional financial requirements are listed below.

4. In preparing the following budgetary analysis, the interim secretariat has assumed that communications will be submitted by the required date and that the following schedule can be envisaged for 1994:

- 21 September: communications received
- 26 September: secretariat (and experts) begin limited analysis and preparation of inputs to synthesis
- 4 November: secretariat (and experts) complete inputs to compilation and synthesis (and experts depart)
- November: interim secretariat drafts compilation and synthesis, editing
- 2 December: compilation and synthesis finalized, submitted for translation, available in English

5. For the purposes of developing cost estimates, the interim secretariat has assumed that it would be assisted by 10 experts as follows:

- 4 experts loaned by international organizations (6 weeks each)
- 4 national experts loaned by Governments (6 weeks each)
- 2 consultants (10 weeks each)

The necessary geographic balance would be maintained in the selection of experts. The interim secretariat has further assumed that:

- The work would be undertaken in Geneva, which would result in travel and subsistence costs for some visiting experts and consultants assumed to be $2,500 per trip and $169 per day ($7,100 for 6 weeks) respectively;

- The consultants would be required for somewhat longer than the other experts to assist with preparations and with completion of the compilation and synthesis;

- Consultants would be paid fees of $2,000 per week and both would require travel and subsistence costs;

- 2 national experts would come from Annex II Parties and 2 from non-Annex II Parties;

- The salaries of experts from national Governments and international organizations would be paid by those Governments/organizations;

- It may be expected that Governments of non-Annex II Parties and international organizations would wish to be reimbursed for the travel and subsistence costs of their seconded experts.

6. On the basis of the above assumptions, the following costs can be calculated:

		US$
- Consultants:	fees	40,000
	travel and subsistence	28,660
- Travel and subsistence:	experts from international organizations	0 to 38,400
	experts from national Governments	19,200

7. In addition, the interim secretariat would require financing for the following:

- 2 temporary secretaries for 6-10 weeks	20,000
- Rental of 10 computers and software for 2 months	8,000

8. In addition to the approximately $270,000 required to finance the relevant existing staff of the interim secretariat from 1 September until COP 1, the cost of preparing a compilation and synthesis for consideration at the eleventh session of the Committee is estimated tentatively at between $115,860 and $154,260.

In-depth review of communications after COP 1

9. In developing the budgetary considerations associated with this component of the review process, the interim secretariat has assumed that the resource requirements for an in-depth review would begin on 1 April 1995 and continue until COP 2. The figures provided in this document, however, are for the period ending 31 December 1995, after which funding would be covered by the regular budget of the permanent secretariat. It has been further assumed that the staffing levels of the secretariat as discussed above (that is, 3 professional staff and one general service) would be extended for this period. This would require contributions to the trust fund of $350,000. (This figure does not include the bilateral contribution to the trust fund from a Government to finance one of the 3 professional staff.) **However, the figures presented in the following discussion can only be considered tentative.**

10. Although the mandate and structure of the permanent secretariat are not yet clear, it may be assumed that the same magnitude of resources, 3 professionals and one general service, would be available to coordinate and participate in any in-depth reviews. Some other

supporting tasks could also be absorbed within the secretariat. This would, however, be insufficient to carry out all of the tasks that might be envisaged as being assigned to the secretariat to effectively coordinate and manage an in-depth review process. The interim secretariat believes that 2 additional professional staff and one additional general service staff would be required. The cost of these staff would be approximately $300,000.

11. In order to develop cost estimates for the implementation of the in-depth reviews as discussed in the document, the interim secretariat has made the following assumptions:

(a) Thirty communications will have been received for review in the period between COP 1 and COP 2;

(b) Each review team would be composed of:

- one national expert from each of the following:
  - an Annex II Party
  - a Party with an economy in transition
  - a developing country Party
- one expert from an international organization
- one secretariat staff member
- one consultant

(c) Travel and subsistence costs would be required for a country consultation visit or a meeting in Geneva for the consultant and the experts from international organizations and non-Annex II Parties (and for the secretariat in the event of country consultation visits) for each of the thirty communications in accordance with the following assumptions:

- cost of average trip: $2,500 per person
- subsistence costs: $1,000 per person for one week

(d) Consultants would be paid fees for two weeks per visit at $2,000 per week.

12. On the basis of the above assumptions the following funding needs may be calculated (for the period 1 April to 31 December 1995):

	US$
- Extension of existing secretariat staff (does not include one staff member funded by his Government)	350,000
- Additional secretariat staff	300,000
- Travel	300,000-375,000
- Subsistence	120,000-150,000
- Consultant fees	120,000
TOTAL	**$1,190,000-1,295,000**

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FOR A FRAMEWORK CONVENTION ON CLIMATE CHANGE
Tenth session
Geneva, 22 August - 2 September 1994
Item 3 (e) of the provisional agenda

MATTERS RELATING TO COMMITMENTS

THE ROLES OF THE SUBSIDIARY BODIES ESTABLISHED BY THE CONVENTION

Note by the interim secretariat

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I. INTRODUCTION

A. Committee mandate

1. At its ninth session, the Committee adopted decision 9/3 on the roles of the Subsidiary Body for Scientific and Technological Advice (SBSTA), established under Article 9 and of the Subsidiary Body for Implementation (SBI), established under Article 10 of the Convention (see A/AC.237/55, annex I). Part A of this decision addresses the functions, roles and terms of reference of the subsidiary bodies, and its annex lists the functions to be carried out by the SBSTA and the SBI.

2. The Committee decided to revisit the functions, roles and terms of reference of the subsidiary bodies at its tenth session in order to make final recommendations to the Conference of the Parties at its first session (COP 1). It therefore requested the interim secretariat to prepare documentation including proposals on any changes to be made in the allocation of the functions of the subsidiary bodies, on the technical, analytical and financial support to enable these bodies to discharge their functions effectively, and on the scheduling and periodicity of their meetings (see A/AC.237/55, annex I, decision 9/3).

B. Scope of the note

3. This note deliberately places emphasis on the period between COP 1 and the second session of the Conference of the Parties (COP 2) in order to allow for a step-by-step approach and thus a more effective decision-making process. Moreover, the periodicity of meetings of the subsidiary bodies after COP 2 is not addressed in the present note since it will have to be considered in the light of:

(a) Decisions on related subjects (see para. 5, below);

(b) The experience gained in the period prior to COP 2; and

(c) The work programme of the subsidiary bodies after COP 2.

4. The purpose of this note is to assist the Committee in agreeing on final recommendations to COP 1 on:

(a) The functions, roles and terms of reference of the subsidiary bodies;

(b) The work programme of the subsidiary bodies between COP 1 and COP 2;

(c) The first election of their officers;

(d) The scheduling and duration of their meetings prior to COP 2; and

(e) The support they need from the secretariat.

5. When making its decision, COP 1 will need to take into account the experience gained in the interim period during which the Committee will carry out the most pressing tasks of the subsidiary bodies, as described in part B of Committee decision 9/3, as well as other relevant decisions of COP 1. The present note draws upon documentation prepared for the ninth session of the Committee (see A/AC.237/46 and A/AC.237/48) and takes into account the views expressed and submissions made, as well as conclusions reached, at that session. When considering the present note, the Committee is invited to bear in mind that matters relating to the subsidiary bodies are all closely linked to items such as the multilateral consultative process for the resolution of questions regarding implementation, the process for the first review of information communicated by Annex I Parties, the review of the adequacy of commitments, criteria for joint implementation, and the financial mechanism. Accordingly, final recommendations by the Committee on the functions of the subsidiary bodies and the tasks they will address prior to COP 2, would be subject to conclusions by the Committee on the above-mentioned items.

6. This note attempts to identify and facilitate discussion of the elements of the future draft recommendation to COP 1. Section II addresses the **functions** to be carried out by the subsidiary bodies. It is supplemented by annex I which elaborates on the functions of those bodies by drawing upon the annex to Committee decision 9/3. Section III describes elements relating to the work of the subsidiary bodies in preparation for COP 2 and thereby provides indications of the matters to be considered at their first substantive meetings. It also proposes a scenario for the **election** of the first officers of the subsidiary bodies, for work during COP 1 concerning the subsidiary bodies, and for the **scheduling** and duration of their meetings prior to COP 2. Annex II to this note illustrates the sequence of events prior to COP 2. Section IV recalls the need for analytical, technical and financial **support** to enable the subsidiary bodies to discharge their functions effectively.

C. Possible action by the Committee

7. It is proposed that the Committee should aim to adopt, on a provisional basis, a comprehensive recommendation to COP 1 on the subsidiary bodies concerning the following:

- Functions, roles and terms of reference of the subsidiary bodies;
- Work programme between COP 1 and COP 2;
- Procedure for the first election of the officers of the subsidiary bodies;

- Scheduling and duration of meetings prior to COP 2;

- Need for technical, analytical and financial support.

After discussion of these elements, based on the present note, a draft recommendation would be prepared for consideration by the Committee at its tenth session.

8. The Committee would then consider the recommendation further at the eleventh session, taking into account conclusions on the relevant items mentioned in paragraph 5, above, and modify it if needed. At that session, informal consultations could also be held regarding the election of the officers of the subsidiary bodies and a recommendation made thereon to COP 1.

II. FUNCTIONS TO BE CARRIED OUT BY THE SUBSIDIARY BODIES ESTABLISHED BY THE CONVENTION

9. The Committee has agreed upon the allocation of a number of functions to be carried out by the subsidiary bodies to enable them to fulfil their roles. These functions provide a starting point from which not only to develop a work plan and a timetable but also to consider the results expected from these bodies.

10. The respective roles of the two subsidiary bodies as described in the Convention and in Committee decision 9/3 can be broadly characterized as follows:

- the SBSTA will be the link between the scientific, technical and technological assessments and information provided by competent international bodies, and the policy-oriented needs of the COP;

- the SBI will assist the COP in its assessment and review of the implementation of the Convention and in the preparation and implementation of its decisions.

11. At this stage, no specific proposal is made to expand the list of the functions of the subsidiary bodies. However, in order to provide assistance to the Committee in setting up a work programme for these bodies, the interim secretariat has drawn up a more detailed version of the list of functions to be carried out by the subsidiary bodies, that is annexed to the present note (see annex I). This list builds on the annex to Committee decision 9/3 by supplementing the information provided in order to strengthen its operational character. For that purpose, related functions have been grouped into clusters in order to highlight the main areas of work. Secondly, drawing upon interventions by member States at the ninth session of the Committee, as well as upon documentation prepared for the tenth session and document A/AC.237/46, both the types of activities involved in each principal cluster of functions and their probable outputs have been clarified.

III. WORK TO BE UNDERTAKEN PRIOR TO THE SECOND SESSION OF THE CONFERENCE OF THE PARTIES

A. Key tasks to be undertaken between the first and second sessions of the Conference of the Parties

12. In addition to a decision as to which functions are to be carried out by the subsidiary bodies, COP 1 may wish to provide guidance on what is expected of the subsidiary bodies in the period leading up to COP 2. In order to ensure that these bodies are operational as quickly as possible, thereby contributing to a prompt start to the implementation of the Convention, the Committee may wish to indicate in its recommendation to COP 1 which tasks should be taken up by the subsidiary bodies between COP 1 and COP 2 and the manner in which they are to be considered.

13. The following tasks could be considered as requiring particular attention from the subsidiary bodies between COP 1 and COP 2.

1. Key tasks to be addressed by the Subsidiary Body for Scientific and Technological Advice

14. It may be envisaged that, in order to respond to the needs of the COP, the SBSTA may be requested by COP 1 to:

(a) Consider the 1995 Second Assessment Report of the Intergovernmental Panel on Climate Change (IPCC) to draw appropriate conclusions for the SBI and/or the COP;

(b) Advise on questions concerning methodologies for inventories, projections of emissions and removals of greenhouse gases, comparisons of the respective contributions of different gases to climate change, vulnerability assessment and adaptation, and evaluation of the effects of measures undertaken pursuant to the provisions of the Convention;

(c) Provide advice on the technical aspects of the allocation of emissions from bunker fuels;

(d) Lay the groundwork for its advisory functions relating to technology transfer and research and development, with initial emphasis on identifying, promoting access to, and disseminating information on state-of-the-art technologies and know-how for limiting emissions of greenhouse gases and adapting to climate change, and addressing the capacity-building needs for the effective use and dissemination of such technologies. (As described in the annex to Committee decision 9/3, the role of the SBI in the field of technology transfer would fall in the context of advice to the COP on policies, eligibility criteria and priorities for the operating entity or entities of the financial mechanism);

(e) Lay the groundwork for its advisory functions relating to capacity building in developing country Parties; and

(f) Carry out such in-depth analysis of the scientific and technical aspects of the first national communications from Annex I Parties as may be needed. It should be noted that this task would provide useful information and background for developing and refining the methodologies referred to above.

2. Key tasks to be addressed by the Subsidiary Body for Implementation

15. It may be envisaged that, in order to respond to the needs of the COP, the SBI may be requested by COP 1 to:

(a) Carry out such in-depth review of individual national communications from Annex I Parties as may be needed, on the basis of the scientific and technical analysis provided by the SBSTA (see para. 14 (f) above);

(b) Consider the report on implementation;

(c) Consider report(s) from the operating entity or entities of the financial mechanism; and

(d) Further elaborate policies, programme priorities and eligibility criteria for the financial mechanism, including with reference to the transfer of technology.

16. The SBI might also have tasks arising from the follow-up to the decisions of COP 1 on the review of the adequacy of commitments and on the establishment of a multilateral consultative process for the resolution of questions regarding implementation pursuant to Article 13 (see A/AC.237/65 and A/AC.237/59).

B. Action at the first session of the Conference of the Parties

17. In order to ensure a prompt start to the implementation of the Convention and to the work of the subsidiary bodies, the Committee might consider whether the suggestion put forward in the following paragraphs should be reflected in its recommendation to COP 1.

18. As provided for in rule 27, paragraphs 3 and 4 of the draft rules of procedure (see A/AC.237/WG.II/L.8), unless otherwise decided by the COP, the Chairmen of the subsidiary bodies shall be elected by the COP, while other officers of the subsidiary bodies are to be elected by the body concerned. It might help expedite the work of the first substantive meetings of the bodies if, for the first term of office, the other officers of the subsidiary bodies were to be elected **during** COP 1. This would also facilitate the process of electing the officers of all Convention bodies in a manner that reflects the necessary geographical balance. In practical terms, brief meetings of the subsidiary bodies could be

convened during COP 1, solely for the purpose of electing their officers. In this regard, representatives of Parties to COP 1 would also have to be prepared to serve as representatives to meetings of the subsidiary bodies. In order to proceed expeditiously at COP 1, it would be desirable to hold informal consultations at the eleventh session of the Committee regarding the election of officers for the COP and for both subsidiary bodies (see A/AC.237/57).

19. After COP 1, and in accordance with the draft rules of procedure, the elections of officers of the subsidiary bodies, with the exception of the Chairmen, could be held independently of sessions of the COP.

20. Once the officers of the subsidiary bodies have been elected, they could meet informally during COP 1 to discuss elements of a work programme for the subsidiary bodies, on the basis of recommendations from the Committee and with the assistance of the interim secretariat. These elements would include:

- A schedule for their meetings
- A list of documentation required for COP 2
- Suggestions on the implementation of their work programme

21. Subsequently, in accordance with rule 27, paragraphs 2 and 3 of the draft rules of procedure, addressing the scheduling and matters to be considered by the subsidiary bodies at their meetings, the above elements could be incorporated in the decision to be adopted by COP 1 giving guidance to the subsidiary bodies. That decision could also give a mandate for the officers of each body to prepare for the substantive meetings of the bodies with the support of the secretariat.

C. Scheduling and duration of meetings of the subsidiary bodies in relation to the second session of the Conference of the Parties

22. In addition to recommendations on the functions of the subsidiary bodies and the tasks they might address prior to COP 2, the Committee may also advise the COP on the related organizational aspects.

23. In order to carry out the preparatory work of the substantive meetings of the subsidiary bodies, the officers may wish to organize informal open-ended consultations after COP 1. This suggestion is based on practice under the Montreal Protocol on Substances that Deplete the Ozone Layer and the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal; the practice is for such consultations to be held from time to time at United Nations centres, where Parties are represented by permanent missions. The advantage of such a procedure would be to avoid having to convene formal organizational meetings of the subsidiary bodies during, or

immediately after, COP 1, and would allow substantive work to proceed immediately after COP 1. However, the financial and support implications, as well as the ability of the Parties to participate in such meetings, would need to be taken into account.

24. The Committee may recommend to COP 1 that the subsidiary bodies, at their first meetings, elaborate proposals to be considered at COP 2 on their longer-term activities and organizational arrangements, including any adjustments to the allocation of work, scheduling and periodicity of meetings. For example, in order to facilitate their work, they may wish to make use of issue-specific technical panels, open-ended ad hoc working groups or task groups reporting to the subsidiary bodies. 1/ However, the consideration of any work plan needs to take into account the financial and support implications, as well as the ability of Parties to participate in meetings.

25. As explained in section III.B of document A/AC.237/46, and taking into account rule 27, paragraph 2 of the draft rules of procedure (see A/AC.237/WG.II/L.8), the timing of the meetings of the subsidiary bodies depends on a number of factors, including:

(a) The nature of the work required from them, especially that relating to the review of national communications and the follow-up of the review of the adequacy of commitments;

(b) The time needed for the preparation and distribution of documentation and subsequent consideration by Governments;

(c) The release of the IPCC Second Assessment Report scheduled for the end of September 1995;

(d) The calendar of related events taking place in 1995 and the dates of COP 2; and

(e) The budget adopted at COP 1, which would have to cover the cost of holding meetings of the subsidiary bodies, including the costs of secretariat inputs and conference services, as well as the cost of financing participation of eligible Parties.

26. In considering the scheduling and duration of meetings of the subsidiary bodies prior to COP 2, the need to ensure availability of conference services should be kept in mind. It would be prudent, therefore, for the Committee at its tenth session to give sufficient indications to the interim secretariat, so that dates could be incorporated in the United Nations calendar of conferences for 1995.

27. Enough time should be allowed before and after the meetings of the subsidiary bodies and the COP for the preparation, translation, distribution and consideration of documentation and information, including the Second Assessment Report of the IPCC. Therefore, and in accordance with the provisions of the Convention, it is suggested that COP 2 be held in June or July of 1996. Meetings at which the subsidiary bodies would begin their substantive work could be envisaged for late January 1996. For financial and logistical reasons, it would be desirable for the bodies to meet **consecutively** at the same place. These back-to-back meetings should start with the SBSTA, so as to provide the SBI with the necessary information to develop recommendations to COP 2.

28. In addition, it might be desirable to schedule a meeting of the SBSTA shortly after the release of the IPCC Second Assessment Report, that is, October 1995, to give that body an opportunity to decide how to handle the information thus provided .

29. The duration of such meetings is difficult to determine because it will depend on the work completed at the eleventh session of the Committee and on decisions taken at COP 1, as well as on support available to the subsidiary bodies. However, it may be assumed that one week would be needed for each body. The additional meeting of the SBSTA in September or October 1995 could possibly last for less than a week. If necessary, meetings of the subsidiary bodies may be envisaged in the days preceding COP 2. The total number of meeting weeks could thus range from two to three and a half weeks.

30. The diagram, attached as annex II to this note, summarizes the sequence of events and actions planned prior to COP 2.

IV. TECHNICAL, ANALYTICAL AND FINANCIAL SUPPORT

31. The subsidiary bodies will need adequate technical, analytical and financial support to discharge their functions effectively, to meet the requests made at COP 1 and to prepare for COP 2. This will include the preparation and distribution of documentation linked to the key tasks to be addressed between COP 1 and COP 2. In accordance with Article 8 of the Convention, the secretariat would provide expertise and support, as appropriate, to the subsidiary bodies. The need for support to the subsidiary bodies will be defined precisely when the organization of their work, their work programmes, and the scheduling and periodicity of their meetings is known. Subsequently, the capacity of the secretariat to provide support to these bodies will be defined in the light of the other activities the secretariat will be requested to undertake. Decisions on the review process, for example, will have significant repercussions on the type and importance of the support that will be required by the subsidiary bodies. In the meantime, based on the suggested list of key tasks to be addressed by the subsidiary bodies between COP 1 and COP 2, the following points list some of the general activities that the secretariat could carry out in support of their work between COP 1 and COP 2, in addition to those explicitly described in Article 8 of the Convention:

(a) Organization of meetings;

(b) Liaison and networking with competent scientific and technical international bodies and financial institutions, in order to ensure an adequate flow of information in both directions;

(c) Preparation of documentation requested for consideration by the subsidiary bodies or the COP; and

(d) Technical and analytical support for the review of information communicated by Annex I Parties.

32. Activities undertaken by the secretariat to facilitate technical and financial support to developing country Parties, as well as the secretariat's information system, may also contribute to the work of the subsidiary bodies.

Note

1/ In this regard, the establishment of scientific and technical panels under the Montreal Protocol on Substances that Deplete the Ozone Layer, or of the ad hoc working group of legal and technical experts under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, or of task forces under the Convention on Long-range Transboundary Air Pollution may provide useful examples.

Annex I

ELABORATION OF THE ANNEX TO COMMITTEE DECISION 9/3*

Functions to be carried out by the subsidiary body for scientific and technological advice under the guidance of the Conference of the Parties and drawing upon existing competent international bodies

Note: Text in bold face refers to the annex to Committee decision 9/3.

Provide assessments of the state of scientific knowledge relating to climate change and its effects (Article 9.2(a)):

- Review, summarize and, where necessary, convert the latest international scientific, technical and other information into forms appropriate to the needs of the Conference of the Parties (COP), especially in support of the review of the adequacy of commitments;

- **Compile and synthesize scientific and technical information on the global situation on climate change**, discuss latest developments in science and assess implications thereof for the implementation of the Convention; and

- Formulate requests to competent international scientific and technical bodies.

Prepare scientific assessments on the effects of measures taken in the implementation of the Convention (Article 9.2(b)):

- **Analyse the scientific and technical aspects of national communications for further review by the Subsidiary Body for Implementation.**

Identify innovative, efficient and state-of-the art technologies and know-how and advise on the ways and means of promoting development and/or transferring such technologies (Article 9.2(c)):

- Ensure the collection and dissemination of information on appropriate technologies for limiting emissions from sources, enhancing sinks of greenhouse gases and adapting to climate change, on related international initiatives, cooperation and programmes, and the services they offer;

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* See document A/AC.237/55, annex I, annex to decision 9/3.

- Provide advice on the latest, and future, technologies mentioned above, their effects, their relative feasibility in different circumstances and their relevance to programme priorities of the financial mechanism taking into account relevant advice to the COP from the Subsidiary Body for Implementation;

- Provide advice and ideas on promoting international initiatives, programmes and cooperation in the areas of technology development and transfer, as well as on sharing of experience between Parties; and

- Evaluate ongoing efforts in the area of development and/or transfer of technologies to determine whether they fully meet the needs of the Convention and advise on possible improvements.

Provide advice on scientific programmes, international cooperation in research and development related to climate change, as well as on ways and means of supporting endogenous capacity building in developing countries (Article 9.2(d)), and assist the Parties to implement Articles 5 and 6 of the Convention, in this context:

- Ensure the collection and dissemination of information on international initiatives, cooperation and programmes in the areas of scientific research and systematic observation, as well as on education, human resources and training, public awareness, capacity building, and the services they offer;

- **Provide advice on education programmes;**

- **Provide advice on human resources and training;**

- Provide advice and ideas on promoting the above initiatives, cooperation and programmes, as well as on sharing of experience between Parties;

- Evaluate ongoing efforts in these fields to determine whether they fully meet the needs of the Convention and advise on possible improvements.

Respond to scientific, technological and methodological questions that the Conference of the Parties and its subsidiary bodies may put to the body (Article 9.2(e)):

- Seek and provide advice on the development, improvement and refinement of comparable methodologies for:

  - National inventories of emissions and removals of greenhouse gases;

  - Projecting national emissions and removals of greenhouse gases and comparison of respective contributions of different gases to climate change;

- Evaluating the individual and aggregated effects of measures undertaken pursuant to the provisions of the Convention;

- Conducting impact/sensitivity analyses;

- Assessing adaptation responses;

- Determining "agreed full incremental costs";

- Provide guidance and advice to the Parties on use of agreed methodologies;

- Provide guidance to the Parties on technical aspects of issues such as the allocation and control of emissions from bunker fuels or the use of global warming potentials.

Functions to be carried out by the subsidiary body for implementation under the guidance of the Conference of the Parties

Advise the Conference of the Parties (COP) on policies, eligibility criteria and programme priorities related to the financial mechanism, as well as on transfer of technology taking into account relevant advice to the COP from the Subsidiary Body for Scientific and Technological Advice:

- Review the financial mechanism and advise on appropriate measures;

- Consider reports from the operating entity or entities of the financial mechanism on activities related to climate change;

- Make recommendations related to the arrangements for the operational linkages between the COP and the operating entity or entities.

Consider the information communicated in accordance with Article 12, paragraph 1, to assess the overall aggregated effect of the steps taken by the Parties in the light of the latest scientific assessments concerning climate change (Article 10.2(a)):

- **Review national communications**, inter alia, **on the basis of the scientific and technical analysis provided, upon request, by the Subsidiary Body for Scientific and Technological Advice**;

- Compile and synthesize information on the overall aggregated effects of policies and measures;

- Compile and synthesize information on all aspects of the implementation of the

Convention by Parties.

Prepare the report on implementation to be submitted to the COP*

Consider the information communicated in accordance with Article 12, paragraph 2, in order to assist the Conference of the Parties in carrying out the reviews required by Article 4, paragraph 2(d) (Article 10.2(b)):

- Provide an assessment of the overall global effect of the measures undertaken to limit emissions and enhance sinks;

- Consider how the overall aggregated effect of the steps taken by Parties relates to the benchmarks set out in Article 4.2(a) and (b) and to the modification of longer-term trends in anthropogenic emissions, as well as to the objective of the Convention;

Assist the Conference of the Parties, as appropriate, in the preparation and implementation of its decisions (Article 10.2(c)):

- Provide advice on possible responses to the findings of the review of the adequacy of commitments, and their implementation, including the conducting of negotiations on resolution(s), amendment(s), protocol(s), and if so requested, undertake such negotiations.

Advise the COP **on issues such as resolution of questions, dispute settlement and compliance/enforcement mechanisms**:

- Consider the establishment of a multilateral consultative process and report to the COP, if so requested.

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* To be reconsidered in the light of the discussion on this item.

Annex II

TIMETABLE OF EVENTS RELATED TO THE SUBSIDIARY BODIES PRIOR TO THE SECOND SESSION OF THE CONFERENCE OF THE PARTIES

Dates	Meetings	Action
August - September 1994	INC X	Adopt recommendation to COP 1 on a provisional basis
		Revise recommendation to COP 1 for final adoption
January - February 1995	INC XI	Informal consultations on election of officers
		Election of officers
March - April 1995	COP 1	Decision on functions, work programme and schedule prior to COP 2
	IPCC Second Assessment Report (September 1995)	Officers prepare for substantive meetings with support from the secretariat
October 1995	SBSTA	Consider how to handle information provided by the IPCC
	Ongoing preparation for substantive meetings	
		Recommendations to COP 2
January - February 1996	SBSTA then SBI	Longer-term planning and organizational arrangements
	Officers finalize preparations for COP 2	
		Report to COP 2
June - July 1996	COP 2	Decision on functions, as appropriate, work programme and schedule in relation to COP 3

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